

BOARD OF APPEAL REFERRALS

January 19, 1978

1. Z-4045 Colm Fagan
23 Quint Avenue, Allston
2. Z-4049 Ralph P. Mastroianni
114 Fulton Street, Boston
3. Z-4050 Gerard Martin
Narconon, Inc. (prospective purchaser)
62 Montebello Road, Jamaica Plain
4. Z-4058 Liberty Market
Fotomat Corporation
220 Border Street, East Boston
5. Z-4066 Boston Redevelopment Authority
224-226 Stuart Street, Boston
6. Z-4971-4082 Commonwealth of Massachusetts - DPW
3-75 Summer Street and 11-15 Gordon Avenue, Hyde Park
7. Z-4086 Boston Redevelopment Authority
250 State Street, Boston
8. Z-4091 Bristol Realty Trust
David J. Abdou, Trustee
5201-5203 Washington Street, West Roxbury
9. Z-4092 Distributors Inc. - John O. Sager
19 Ledge Hill Road, West Roxbury

MEMORANDUM

January 19, 1978

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert F. Walsh, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 1/24/78

Z-4045

Colm Fagan
23 Quint Avenue, Allston
near Brighton Avenue

7,374 square feet of land

District(s): apartment H-1 general business _____
residential _____ local business _____ industrial _____
single family _____ waterfront _____
manufacturing _____

Purpose: to use premises for parking for fee.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. A parking lot is forbidden in an H-1 district.		
18-1. Front yard is insufficient.	25 ft.	5 ft.
20-1. Rear yard is insufficient.	20 ft.	5 ft.

Facility, with accommodation for 18 cars, would provide much needed neighborhood off-street parking and alleviate on-street congestion.
Recommend approval with provisos.

VOTED: In reference to Petition No. Z-4045, brought by Colm Fagan, 23 Quint Avenue, Allston, for a forbidden use and two variances to use premises for parking for fee in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that existing sign be removed; that spaces be rented only to area residents; that plans inclusive of required signage and landscaping be submitted to the Authority for design review.



Board of Appeal Referrals 1/19/78

Hearing: 2/7/78

Z-4049

Ralph P. Mastroianni
114 Fulton Street, Boston
near Richmond Street

Six-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____ M-2

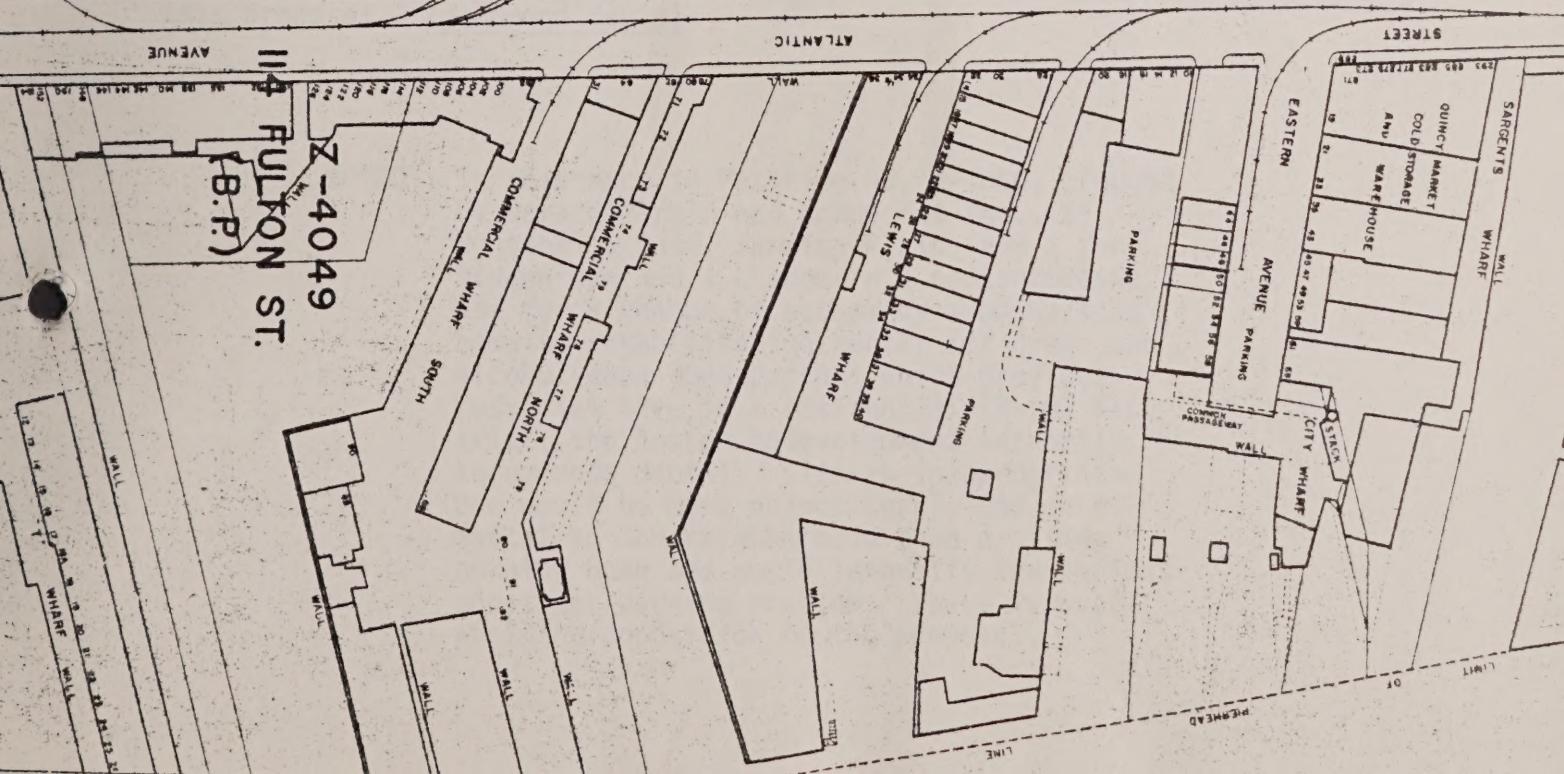
Purpose: to change occupancy from mercantile to nine apartments and
two professional offices; to erect addition.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. A multifamily dwelling is conditional in an M-2 district.		
15-1. Floor area ratio is excessive.	2	5
23-7. Off-street parking is insufficient.	11 spaces	4 spaces

Proposed conversion and rehabilitation will be consistent with the
new residential character of Fulton Street and the general area.
Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4049, brought
by Ralph P. Mastroianni, 114 Fulton Street,
Boston, for a conditional use and two
variances for a change of occupancy from
mercantile to nine apartments and two
professional offices and to erect addition
in a manufacturing (M-2) district, the Boston
Redevelopment Authority recommends approval
provided petitioner supply required parking
by acquisition or lease of space to alleviate
existing acute on-street congestion. Rental
scale or sale price of units should be as
compatible as possible with community.



Board of Appeal Referrals 1/19/78

Hearing: 2/7/78

Z-4050

Gerard Martin

Narconon, Inc. (prospective purchaser)

62 Montebello Road, Jamaica Plain

near Washington Street

2½-story frame structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from nursing home to rehabilitation center
with custodial care for drug- and alcohol-dependent persons.

Violation(s):

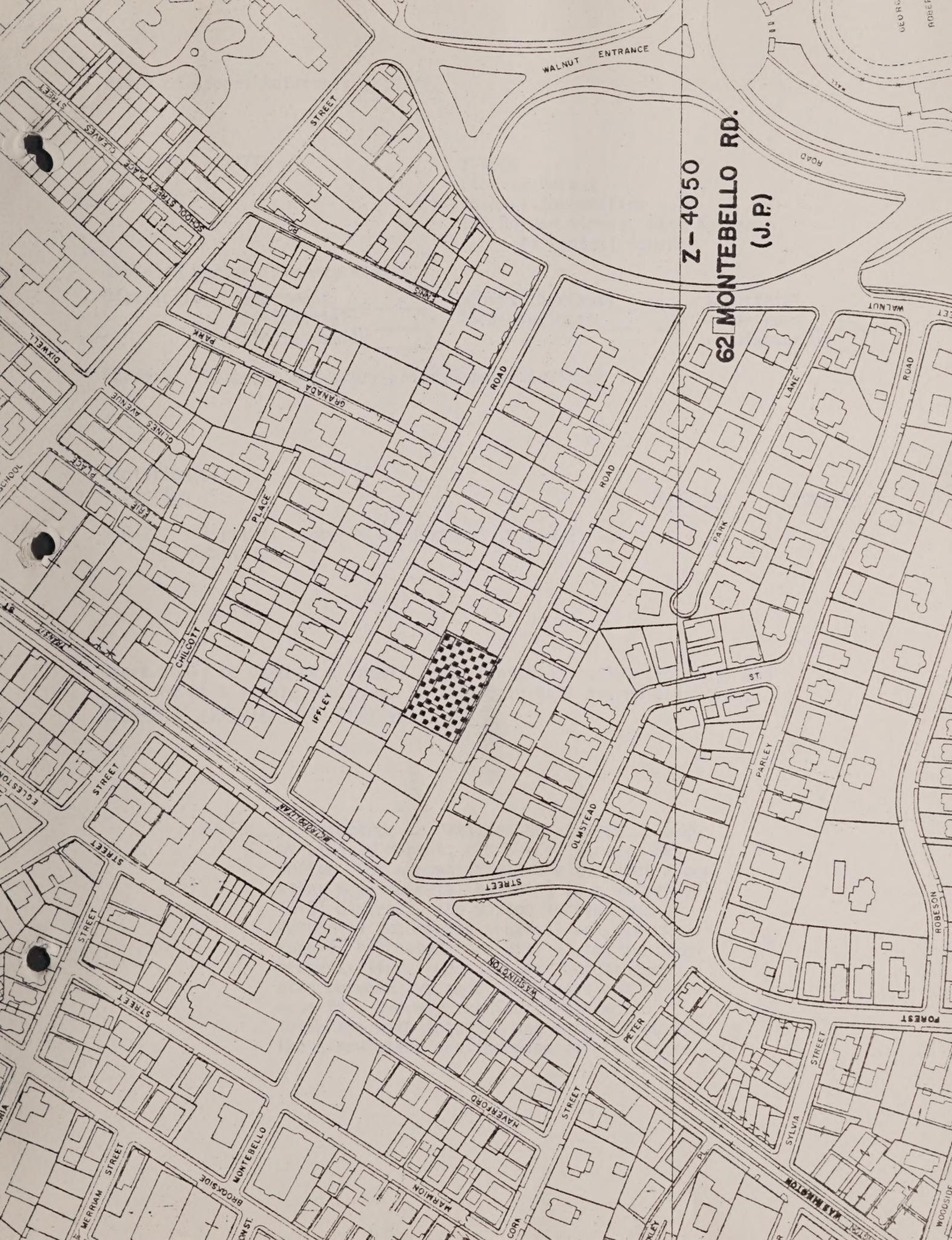
SectionRequiredProposed

- 8-7. Rehabilitation center for drug- and alcohol-dependent persons providing custodial care is forbidden in an R-.8 district.
- 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Site is inappropriate. Use would be more objectionable and detrimental to the neighborhood than existing nursing home and would intensify the serious on-street parking problem. There is overwhelming opposition to this proposal. Recommend denial.

VOTED: In reference to Petition No. Z-4050, brought by Gerard Martin and Narconon, Inc., 62 Montebello Road, Jamaica Plain, for a forbidden use and a change in a nonconforming use for a change of occupancy from nursing home to rehabilitation center for drug- and alcohol-dependent persons which provides custodial care in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate. Use would be more objectionable and detrimental to the neighborhood than existing nursing home and would intensify the serious on-street parking problem. There is overwhelming opposition to the proposal.

Z - 4050
62 MONTEBELLO RD.
(J.P.)



Board of Appeal Referrals 1/19/78

Hearing: 1/24/78

Z-4058
Liberty Market
Fotomat Corporation
220 Border Street, East Boston
at Central Square

Shopping center (Liberty Plaza)

District(s): apartment _____
residential _____
single family _____general business _____
local business _____
industrial _____
waterfront _____ W-2
manufacturing _____

Purpose: to erect one-story pre-fab metal building.

Violation(s):

SectionRequiredProposed

8-7. A retail store is conditional in a W-2 district.

Store would be used as a retail photo-finishing outlet (Fotomat) and operated by a single employee. Little City Hall has no objection. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4058, brought by Liberty Market, 220 Border Street, East Boston, for a conditional use to erect a one-story pre-fab metal building in a waterfront (W-2) district, the Boston Redevelopment Authority recommends approval only if structure is relocated to a site at the northern property line. Location as indicated on plan between two major driveways and proximate to a two-way traffic circle would interfere with internal and external vehicular circulation and increase safety hazard.

Z-4058
220 BORDER ST.
(E.B.)



Board of Appeal Referrals 1/19/78

Hearing: 1/31/78

Z-4066

Boston Redevelopment Authority
224-226 Stuart Street, Boston
at Church Street

One-story structure

District(s): apartment _____ general business B-8 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____Purpose: to continue occupancy - car rental agency - storage of three
rental cars.

Violation(s):

SectionRequiredProposed8-7. A car rental agency is conditional in a
B-8 district.

Last January, the Authority approved this use. The Board of Appeal subsequently concurred with limiting proviso until February 15, 1978. Staff recommends continuation of use without further time limit, subject to Authority thirty-day termination notice. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-4066, brought by the Boston Redevelopment Authority, 224-226 Stuart Street, in the South Cove Urban Renewal Area, for a conditional use to continue occupancy of car rental agency and storage of three rental cars in a general business (B-8) district, the Boston Redevelopment Authority recommends approval of use without further time limit, subject to thirty-day termination notice by the Authority and with the following provisos: that perimeter sidewalk and property be maintained by lessee inclusive of landscaping and trash removal; that no more than three cars be allowed on property at any time and all other cars be stored in Motor Mart garage; that closing hour not exceed 9 P.M.

PUBLIC

GARDEN

Z-4066
224-226 STUART ST.

(B.P.)

COMMON

CENTRAL
BURIAL
GROUND

ST.

MASON

PARKING AREA

HOLLY ST.

AVERY

HEAD PL.

LA GRANGE

WILSON

STREET

BEAUMONT

STREET

LIBBY

STREET

BRADLEY

STREET

WHITEHORN

STREET

BENNETT

STREET

HARVARD

STREET

BRIDGE

STREET

WASHINGTON

STREET

STREET

STREET

HOLLIS

STREET

STREET

STREET

DORE

STREET

STREET

STREET

TREMONT

STREET

STREET

STREET

SEAVIER PL.

STREET

STREET

STREET

WARRENTO

STREET

STREET

STREET

SHAWMUT

STREET

Board of Appeal Referrals 1/19/78

Hearing: 2/7/78

Z-4071-4082

Commonwealth of Massachusetts - DPW
3-75 Summer Street and 11-15 Gordon Avenue,
Hyde Park

3.8 acres of land

District(s):	apartment _____	general business _____	industrial _____
	residential <u>R-.5</u>	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: to erect eleven two-story frame structures to accommodate 96 elderly housing apartment units and 7 elderly boarders; to erect one-story community center structure.

Violation(s):

<u>Section</u>		<u>Required</u>	<u>Proposed</u>
8-7.	Multifamily dwellings are forbidden in an R-.5 district.		
8-7.	A boarding house is conditional in an R-.5 district.		
8-7.	Community center requires Board of Appeal hearing.		
14-2.	Lot area is insufficient.	6 acres	4 acres
14-5.	Unobstructed access insufficient.	40 ft.	0
14-5.	Distance between buildings is insufficient.	80 ft.	10 ft.
18-1.	Front yard is insufficient.	25 ft.	10 ft.
19-1.	Side yard is insufficient.	10 ft.	1 ft.
20-1.	Rear yard is insufficient.	40 ft.	10 ft.

Development, which has support of BHA, DPW, and OPS, has been achieved primarily through efforts of local community residents over a three-year period. Project has been reviewed with staff and will be compatible with existing residential properties. BHA will own and manage with tenant input. Site is proximate to Cleary Square shopping facilities and public transportation. Recommend approval with proviso.

VOTED: In reference to Petitions Nos. Z-4071-4082, brought by the Commonwealth of Massachusetts, DPW, 3-75 Summer Street and 11-15 Gordon Avenue, Hyde Park, for ten forbidden uses, two conditional uses, and 46 variances to erect eleven two-story frame structures for 96 elderly apartment units and 7 elderly boarders and a one-story community center structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Z-4071-82
3-75 SUMMER ST.
H-15 GORDON AVE.
(H.P.)

Board of Appeal Referrals 1/19/78

Hearing: 1/24/78

Z-4086

Boston Redevelopment Authority
250 State Street, Boston
at Atlantic Avenue

Parking lot

District(s): apartment _____ general business B-8 and B-8-U industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to use premises for parking of 135 cars for a fee.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
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8-7. Parking lot is conditional in B-8 and B-8-U districts.

The Authority approved this use, and the Board of Appeal concurred, in 1972. This petition would increase capacity from 55 to 135 spaces. Air Pollution Control Commission has granted approval. It is anticipated that the use will be terminated at the end of the year upon commencement of proposed hotel development. Recommend approval.

VOTED: In reference to Petition No. Z-4086, brought by the Boston Redevelopment Authority, 250 State Street, in the Waterfront Urban Renewal Area, for a conditional use for parking of 135 cars in general business (B-8 and B-8-U) districts, the Boston Redevelopment Authority recommends approval without time limit, subject to thirty-day termination notice by the Authority. It is anticipated that the use will be terminated at the end of the year upon commencement of proposed hotel development.



Board of Appeal Referrals 1/19/78

Hearing: 1/31/78

Z-4091

Bristol Realty Trust

David J. Abdou, Trustee

5201-5203 Washington Street, West Roxbury
near Grove Street

12,190 square feet of land

District(s): apartment _____
residential _____
single family _____

general business _____

local business L-.5

industrial _____

waterfront _____

manufacturing _____

Purpose: to erect two-story structure for use as retail store, offices,
repair shop garage, and inspection bay.

Violation(s):

SectionRequiredProposed8-7. A repair shop garage is conditional in an
L-.5 district.Repair garage would be accessory to retail of auto-related parts (Goodyear
Tire Sales). Proposal will facilitate the economic revitalization of this
commercial area. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4091, brought by Bristol Realty Trust, 5201-5203 Washington Street, West Roxbury, for a conditional use to erect a two-story structure for use as retail store, offices, repair shop garage, and inspection bay in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval provided that plans are submitted to the Authority for design review. Proposal will facilitate the economic revitalization of this commercial area.

Z-4091
5201-5203 WASHINGTON ST.
(W.R.) GROVE



Board of Appeal Referrals 1/19/78

Hearing: 1/31/78

Z-4092

Distributors Inc. - John O. Sager
19 Ledge Hill Road, West Roxbury
near Spring Street

One-story masonry structure

District(s): apartment _____
residential _____
single family S-.5 general business _____
local business _____ industrial _____
waterfront _____
manufacturing _____

Purpose: to change occupancy from assembly and manufacturing of iron lungs to warehouse and offices.

Violation(s):

SectionRequiredProposed9-2. A change in a nonconforming use requires
Board of Appeal hearing.

Structure has existed as a manufacturing site for many years and is adequately set back from the street (70 feet). Operation would consist of storage of household cleaning equipment and materials. Proposed re-use would restore vacant property. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4092, brought by Distributors Inc., 19 Ledge Hill Road, West Roxbury, for a change in a nonconforming use for a change of occupancy from assembly and manufacturing of iron lungs to warehouse and offices in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval only with proviso that no exterior storage of any kind be allowed and that employee parking be confined to the lot.

L-4092
LEDGE HILL
(W.R.)

